

EV 971833713US
Express Mail Label Number

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

12/6/07
Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1203

GOSCHKE ET AL.

APPLICATION NO: 08/416,242

FILED: APRIL 4, 1995

FOR: NOVEL DELTA-AMINO-GAMMA-HYDROXY-OMEGA-ARYL-
ALKANOIC ACID AMIDES

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

EXPLANATORY COMMENT FOR DISCLAIMER UNDER 37 CFR 1.321(a)

Sir:

Enclosed herewith is a Disclaimer under 37 CFR 1.321(a) in the above-identified application, disclaiming claims 3 and 6. Claim 23 was also disclaimed on October 16, 2007 under 37 CFR 1.321(a).

Claim 23 was disclaimed because claims 23 and 19 were identical and therefore duplicates. Accordingly, claim 23 was disclaimed to correct the error of having two identical claims. Claim 3 is being disclaimed herein because, while it is dependent upon claim 1, the definition of R3 in claim 3 is defined to include hydrogen, but there is no antecedent reference in Claim 1 wherein R3 can be hydrogen. Similarly claim 6 is dependent from claim 1 and claims a particular compound wherein R3 is hydrogen, thus not having antecedent reference in Claim 1.

By disclaiming these claims, Applicants do not intend to disclaim the subject matter of these claims, but only these particular claims themselves.

The Commissioner is hereby authorized to charge the \$130 fee under 37 CFR §1.20(d) and any additional fees that may be required to Deposit Account No. 19-0134 in the name of Novartis. An additional copy of this paper is here enclosed.

Respectfully submitted,



Gregory D. Ferraro
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Reg. No. 36,134

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Date: December 5, 2007

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PATENT DISCLAIMER

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Approved for use through 12/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE**DISCLAIMER IN PATENT UNDER 37 CFR 1.321(a)**

Name of Patentee Novartis Corporation	Docket Number (Optional) 19919
Patent Number 5,559,111	Date Patent Issued September 24, 1996
Title of Invention 8-AMINO-γ-HYDROXY-ω-ARYL-ALKANOIC ACID AMIDES	

I hereby disclaim the following complete claims in the above identified patent: **3 and 6**

The extent of my interest in said patent is (if assignee of record, state liber and page, or reel and frame, where assignment is recorded): **Assignee of record: Assignment from inventors to Ciba-Geigy Corp. was recorded on April 29, 1996 at Reel 007916, Frame 0856 and the change of name from Ciba-Geigy Corp. to Novartis Corp. was recorded on August 22, 2000 at Reel 011089, Frame 0648**
The fee for this disclaimer is set forth in 37 CFR 1.20(d).

Patentee claims small entity status. See 37 CFR 1.27.

Small entity status has already been established in this case, and is still proper.

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any fees which may be required or credit any overpayment to Deposit Account No. **199134**. I have enclosed a duplicate copy of this form.

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Signed at Florham Park , State of New Jersey	6th	December 2007
		36,134
Signature		Registration Number, if applicable 862-778-7831
Gregory Ferraro		Telephone Number
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City, State, Zip Code or Foreign Country as applicable		

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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